

FEDERAL PUBLIC DEFENDER

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August 7, 2007

Hon. Wayne D. Brazil
United States Magistrate Judge for the
Northern District of California
1301 Clay St.
Oakland, CA 94612

Re: United States v. Benjamin Garrison Clayton, CR 07-70462-WDB

Dear Judge Brazil:

I write to inform the court that the parties intend to proceed with an identity hearing tomorrow August 8, 2007 at 10:00 a.m. Mr. Clayton will waive time on his bail hearing, so that issue will not be litigated tomorrow. Please do not hesitate to contact me for any reason.

Very truly yours,

BARRY J. PORTMAN
Federal Public Defender

/S/

JOHN PAUL REICHMUTH
Assistant Federal Public Defender

cc: Maureen Bessette, AUSA
Tai Gaskins, US PSA